

1 KENNETH G. HAUSMAN (57252)  
Kenneth.Hausman@aporter.com  
2 DEBORAH S. SCHLOSBERG (254621)  
Deborah.Schlosberg@aporter.com  
3 ARNOLD & PORTER LLP  
Three Embarcadero Center, 7th Floor  
4 San Francisco, CA 94111-4024  
Telephone: 415.471.3100  
5 Facsimile: 415.471.3400

6 Attorneys for Defendants  
THE CHARLES SCHWAB CORPORATION, SCHWAB  
7 HOLDINGS, INC. AND CHARLES SCHWAB & CO.,  
INC.  
8

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 JOY YOSHIOKA, individually and on behalf  
13 of all others similarly situated,

14 Plaintiff,

15 vs.

16 THE CHARLES SCHWAB CORPORATION,  
17 SCHWAB HOLDINGS, INC. and CHARLES  
SCHWAB & CO., INC.,

18 Defendants.  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No.: CV 11 1625 EMC

**STIPULATION AND [PROPOSED]  
ORDER RE BRIEFING SCHEDULE FOR  
DEFENDANTS' MOTION TO DISMISS**

1 WHEREAS, at the Status Conference held in this action on June 19, 2012, the Court lifted  
 2 the stay in the action only to allow Defendants The Charles Schwab Corporation, Schwab Holdings,  
 3 Inc., and Charles Schwab & Co., Inc. ("Defendants") to file a motion to dismiss pursuant to the  
 4 Federal Rules of Civil Procedure, Rule 12(b) ("Motion") with a hearing date set for Friday,  
 5 September 21, 2012 and a further case management conference set for the same date;

6 WHEREAS, Defendants and Plaintiff Joy Yoshioka ("the Parties") have met and conferred  
 7 and reached an agreed-upon briefing schedule; and

8 WHEREAS, the agreed-upon briefing schedule does not alter the date of the hearing on the  
 9 Motion set by the Court or the time by which briefing on the Motion will be complete;

10 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the Parties, through their  
 11 respective counsel, subject to approval of the Court, as follows:

12 1. Defendants shall file their Motion on or before August 3, 2012, and set it for hearing  
 13 on September 21, 2012;

14 2. Plaintiff Joy Yoshioka shall file any opposition to the Motion on or before August  
 15 24, 2012;

16 3. Defendants shall file a reply in support of the Motion on or before September 7,  
 17 2012; and

18 4. The undersigned Parties jointly and respectfully request that the Court enter this  
 19 Stipulation as an Order.

20 Dated: July 6, 2012

ARNOLD & PORTER LLP

21  
 22 By: /s/ Kenneth G. Hausman  
 23 KENNETH G. HAUSMAN  
 24 Attorneys for Defendants  
 25 THE CHARLES SCHWAB CORPORATION,  
 26 SCHWAB HOLDINGS, INC. AND CHARLES  
 27 SCHWAB & CO., INC.  
 28

1 Dated: July 6, 2012

Thomas K. Caldwell  
tkcaldwell@mhclaw.com (*Pro Hac Vice*)  
T. John Kirk  
kirkjohn@mhclaw.com (*Pro Hac Vice*)  
MADDOX HARGETT & CARUSO, P.C.  
10100 Lantern Road, Suite 150  
Fishers, Indiana 46037  
Telephone: 317.598.2040  
Facsimile: 317.539.2050

6 By: /s/T. John Kirk  
T. JOHN KIRK  
Attorneys for Plaintiff  
JOY YOSHIOKA

RYAN BAKHTIARI  
rkb@aublaw.com  
AIDIKOFF, UHL & BAKHTIARI  
9454 Wilshire Boulevard, Suite 303  
Beverly Hills, California 90212  
Telephone: 310.274.0666  
Facsimile: 310.859.0513

Barbara Quinn Smith (Ohio Bar 0055328)  
bqsmith@mhclaw.com (*Pro Hac Vice*)  
MADDOX HARGETT & CARUSO, P.C.  
9853 Johnnycake Ridge Road, Suite 302  
Mentor, Ohio 44060  
Telephone: 440.354.4010  
Facsimile: 440.848.8175

Tim Berry  
tim@iraideas.com (*Pro Hac Vice*)  
TIM BERRY P.C.  
11812 E. Toledo  
Gilbert, Arizona 85295  
Telephone: 602.652.2875

20 ATTESTATION

21 Pursuant to General Order No. 45X(B), I hereby attest that concurrence in the filing of this  
22 document has been obtained from T. John Kirk.

23 Dated: July 6, 2012.

24 By: /s/Kenneth G. Hausman  
KENNETH G. HAUSMAN

**ORDER**

Pursuant to the Stipulation between the Parties, and good cause appearing therefor, IT IS  
HEREBY ORDERED, that

1. Defendants shall file their Motion on or before August 3, 2012, and set it for hearing  
on September 28, 2012;

2. Plaintiff Joy Yoshioka shall file any opposition to the Motion on or before August  
24, 2012;

3. Defendants shall file any reply in support of the Motion on or before September 7,  
2012;

4. The hearing on the Motion remains set for September 28, 2012, at 1:30 p.m.  
as the Court's schedule may allow. The Further CMC is reset for September 28, 2012 at 1:30 p.m.

Dated: July 9, 2012.

